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BREAKING NEWS NEWS

Here's when marijuana will be legal in Illinois, and answers to other burning questions about recreational weed

By ROBERT MCCOPPIN JUN 25, 2019 AT 7:33 PM



FEEDBACK

Marijuana plants grow under lights at Cresco Labs medical marijuana cultivation facility in Joliet in August 2018. (Erin Hooley/Chicago Tribune)

Marking a historic moment in an expanding national movement, [Illinois Gov. J.B. Pritzker has signed legislation that makes recreational marijuana legal in Illinois.](#)

After debate in Springfield earlier this year — during which one lawmaker even cracked eggs into a frying pan to depict the “brain on drugs” — the bill allowing possession and sales to begin on Jan. 1 was approved by the [House](#) and [Senate](#).

Illinois became the 11th state to legalize cannabis and the first state in which a legislature approved commercial sales. Vermont lawmakers legalized possession, but not yet commercial sales. Approval in other states came via referendum.

[Legalizing marijuana: How did your legislators vote? »](#)

Opponents warned of more addiction, mental impairment, and drugged-driving deaths, while proponents spoke of a need to end a failed war on drugs, which has disproportionately hurt minorities.

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Legalizing marijuana is expected to generate revenue in the coming budget year to help restore poverty- and crime-ridden communities and fund substance abuse, mental health and law enforcement services, supporters say.

[In overtime, Illinois House OKs new taxes for public works program and a gambling expansion that includes a Chicago casino »](#)

“This will have a transformational impact on our state, creating opportunity in the communities that need it most and giving so many a second chance,” Pritzker said in a statement.

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[As detailed in the 610-page bill](#), cannabis is meant to be taxed and regulated similarly to alcohol, with a lot of rules affecting its use.

The approval of the bill raised a number of questions throughout the state about the soon-to-be new law. Here are the answers to some of them:

Who can grow and sell it?

Only the 20 existing licensed medical marijuana cultivation facilities will be licensed to grow it initially. Next year, craft growers may apply for licenses to cultivate up to 5,000 square feet, with preference given to applicants from minority areas disproportionately affected by the war on drugs, such as the South and West sides of Chicago. Medical marijuana dispensaries and new retail stores will be licensed to sell it. Medical cannabis patients will be allowed to grow up to five plants each at home.

[Here's what dispensaries are doing to get ready »](#)

Who can buy what?

Illinois residents age 21 and over may possess up to 30 grams or about 1 ounce of flower (roughly as much as an adult can hold in cupped hands), 5 grams of cannabis concentrate, or 500 milligrams of THC — the chemical that gets users high — in a cannabis-infused product such as gummies and other candy, tinctures and lotions. Adult visitors to the state may possess up to 15 grams of marijuana.

Who can ban it?

Municipalities and counties may ban cannabis businesses within their boundaries, but may not ban individual possession. Any person, business or landlord may prohibit use on private property. Colleges and universities may continue to prohibit marijuana use.

Where is consumption prohibited?

In any public place like on the street or in a park, on school grounds (except for medical users), in any motor vehicle, in a correctional facility, near someone under 21, while driving a boat or flying a plane, or by a school bus driver, police, fire or corrections officer while on duty. It's OK to use it at home, as long as outsiders can't see it.

[Will employers still test for marijuana once recreational use is legal in Illinois? Don't keep a pipe at your desk just yet. »](#)

How does it affect criminal records?

The governor will pardon past convictions for possession of up to 30 grams, with the attorney general going to court to expunge or delete public records of a conviction or arrest. For possession of 30 to 500 grams, an individual or a state's attorney may petition the court to vacate and expunge the conviction, but prosecutors may object, with a judge to make the decision.

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How is it taxed?

Sales will be taxed at 10 percent for THC levels at or less than 35 percent; 20 percent for cannabis-infused products such as edibles; and 25 percent for THC concentrations of more than 35%. That's in addition to standard state and local sales taxes. Municipalities may add special taxes of up to 3%, counties may add up to 3.75% in unincorporated areas, and Cook County may add up to 3% in municipalities.

How do federal laws affect Illinois' law?

The drug remains federally illegal, but federal law enforcement typically has not prosecuted possession of small amounts, or businesses complying with state programs.